(2) POLICE FIRING IN TUTICORIN AND DALMIAPURAM.

MR. SPEAKER :—" Hon. Members Messrs. K. Aranganathan, S. Radhakrishnan, M. P. Subramaniam, P. Rengasami Reddiar, A. Govindaswami Nayagar, S. Deivasigamany and P. Ramamurthi have given notice of an adjournment motion which reads as follows :—

'That the business of the House be adjourned to discuss a matter of definite urgent public importance, namely, the Police firing on 15th July 1953 in a number of places in the State such as Tuticorin and Dalmiapuram, resulting in the death of nine innocent persons and serious injury to many.'

" I wish to know from the Hon. the Chief Minister what he wants to say in the matter."

* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, according to information received, there was firing in Tuticorin and Dalmiapuram and in no other place.

" As far as Tuticorin is concerned, the following information was obtained at about 5 p.m. yesterday from the Collector and the District Superintendent of Police, Tirunelveli, who were camping at Tuticorin :—

'In pursuance of Dravida Munnetra Kazhagam agitation, volunteers stopped a passenger train soon after starting from Tuticorin this morning at 6-25 a.m. four times from reaching Tuticorin-Melur station, two miles away, by pulling the alarm communication chord. Thirty-five were arrested and the train moved. At Tuticorin-Melur station there was a crowd of over one thousand persons on either side of the railway line shouting slogans " Down with Nehru Government ", etc. About 150 persons squatted on the railway lines and prevented the train from moving.

'The Deputy Superintendent of Police, Tuticorin, who was on the spot advised them to disperse. He intimated the Sub-Collector who arrived at the spot immediately.

'The Sub-Collector advised the Secretary, Dravida Munnetra Kazhagam, to advise his men to disperse and to allow the train to proceed. As the crowd still refused to move, they were warned and lathi charge was ordered. Then began pelting of stones at the police party and officials from either side.

'Some were arrested and lathi charge was then stopped. The Collector arrived at this stage and the Secretary, Dravida Munnetra Kazhagam, agreed before him to withdraw the squatters and asked that the persons arrested at the spot should be released. In order to facilitate the dispersal of the violent crowd this was agreed to and the arrested men were released. But the squatters did not give up and stated that they intended sitting there till 5-30 p.m. To clear the line another lathi charge was ordered. Stone pelting and throwing of brick bats increased, injuring constables. As the crowd had become riotous and menacing and the police party and officers were likely to be overwhelmed from both sides, firing was ordered by the District Collector after due warning. Twenty-five rounds were fired. Three died on the spot and one at the hospital. Seventeen injured have been admitted in hospital. The crowd dispersed and the train moved, though stones continued to be thrown at it from behind the buildings on either side of the railway lines. Another batch of agitators stopped the same train 4 furlongs ahead and the railway head constable ordered firing and six rounds were fired. It is not known whether any was injured there. The train proceeded. About two miles from Tuti-Melur station a railway bridge was attempted to be put out of use by burning the sleepers. Telephone wires were cut near the bridge and the railway track was damaged. Spikes were inserted between rails.

'Collector and the D.I.G. of Police are on the spot and the situation is effectively under control.'

" Sir, subsequent to this information, information received at about 10 p.m. yesterday shows that there has been no further

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trouble and that the situation in the town is quiet and under control. Vigorous patrolling by the police is being conducted in the town.

"I may inform the hon. Members that early yesterday when I received information about the firing and the deaths, I was of opinion that an open enquiry should be held. An enquiry has been ordered to be held. The District Collector, Tirunelveli, was on the spot. Therefore, his evidence would be materially necessary and important. I have ordered that the District Magistrate of Madurai and the Principal Subordinate Judge of Tuticorin should sit together and hold an open enquiry.

"So far as Tiruchirappalli is concerned, the information is—

'A crowd attempted to stop the Ariyalur passenger proceeding towards Tiruchirappalli at about 2 p.m. at Dalmiapuram station, 23 miles from Tiruchirappalli.

10-40 a.m. 'Earlier in the day, there were some attempts to deface the name board of the railway station and substitute the name of Kallakudi, but as no violence was involved, serious notice was not taken of this.'

"I am of opinion that this name-giving and name-changing is a silly affair.

'A batch of about six persons who had attempted to stop a morning train was, however, taken into custody.

In the afternoon, however, the crowd had swelled to a large number and attempts at persuasion by the Subdivisional Magistrate who was present at the spot failed to have any effect. The crowd became violent and indulged in severe stone throwing. A lathi charge was ordered and the train was moved slowly to the south cabin but here the crowd again started obstructing the train and intensified stone throwing at the police party and on the train itself. A second lathi charge proved futile and as the situation was becoming uncontrollable and the police party were about to be overwhelmed, a number of them including the Deputy Superintendent of Police and the Circle Inspector already having by now sustained injuries, fire was opened on the orders of the Magistrate.

As a result of the firing, the crowd dispersed on all sides. It is ascertained that two persons died and their bodies were removed at Lalgudi Station. In addition, 13 other injured were detrained at Lalgudi and treated in the local hospital. Three others who were injured were treated in the Trichy hospital. The total number of casualties is ascertained to be 2 dead, 16 injured amongst non-officials. Amongst police officials, the Deputy Superintendent of Police, the Circle Inspector of Police and 10 constables sustained injuries.

The Collector and the District Superintendent of Police are on the spot.'

"In this case also, I have ordered an enquiry by the Personal Assistant to the District Magistrate and the Principal Subordinate Judge of Tiruchirappalli. Both these enquiries will be open enquiries. Anybody is free to give such evidence as he wishes. As these will be open enquiries, the public may offer evidence before them. In respect of these incidents, the whole matter will be sifted and enquired into. It is unfortunate that these incidents have happened. I was not surprised at this, because I have been following the appeals appearing in the official organs of the Dravida Munnetra Kazhagam and Dravida Kazhagam. On reading those appeals and the language employed therein, it gave me no surprise at all that people would resort to such activities as stopping of trains and so on. What began as a token disobedience of laws had gradually become a determined attempt to stop trains and interfere with communications at all costs. All these apprehensions have come true. I am glad I have had an opportunity to get the facts

as early as possible. I am also glad that we will have the report of the open enquiry very soon giving a true picture as to the circumstances which led to the firing. I only wish to add that if we argue this subject further without facts, it will prejudice the enquiry.''

MR. SPEAKER :—'' I wish to know whether the hon. Leader of the Opposition is prepared to withdraw his motion in view of the statement of the Hon. Chief Minister.

* SRI P. RAMAMURTHI :—'' Sir, I find it extremely difficult to express the gravity of the situation. The Hon. the Chief Minister has come forward to order a public enquiry. I personally feel that the nomination of officials for conducting this enquiry will not meet the ends of justice in the present case. I want to remind the Hon. the Chief Minister of one incident that took place in 1937 when he was Chief Minister. There was agitation in Chirala and there was police firing. At that time, the Chief Minister thought it necessary to order a public enquiry by a Judge of the High Court with whom were associated two non-officials. It is true that some of them refused to co-operate. Nonetheless, the very same Chief Minister thought it fair and necessary to associate non-officials with the enquiry at that time. I do not know how the circumstances have changed now. In this connexion I wish to state categorically, even though the Hon. the Chief Minister may feel offended, that we do not have any confidence whatsoever in the District Magistrate and the Personal Assistants to the District Magistrates.''

THE HON. SRI C. RAJAGOPALACHARI :—'' You don't have confidence even in judicial officers? ''

* SRI P. RAMAMURTHI :—'' Though they may be said to be judicial officers after the separation of the judiciary from the executive, they are only officers promoted from lower categories. I know what sort of judicial officers these people will be. If there is to be a proper enquiry, some non-officials have got to be associated with the enquiry. There are enough public men in this country. This is an incident in which the people's lives are involved. We should not treat their lives cheaply. The whole question has got to be discussed here.''

MR. SPEAKER :—'' May I know from the hon. the Leader of the Opposition whether he will be prepared to withdraw his motion if the Hon. the Chief Minister is prepared to appoint some non-officials? ''

* THE HON. SRI C. RAJAGOPALACHARI :—'' I am grateful for the suggestion. Let us understand that this is not a mere question of accommodation in the matter of a debate in the House. Very large issues and interests are involved. Disorder is there. As I have already said, there was a continuous attempt in the last fortnight or so, and at any rate during the last week at rousing violence and hatred. Disturbances have broken out and the incidents have happened just as I had feared. Serious incidents

have occurred in these two places. Fire had to be opened. If we assume that the enquiry by the two officers that I have mentioned in each case will not be just, it would mean immediate abdication of the functions of the Government including the judiciary. I submit that we must wait for the result of the enquiry which will be conducted immediately. Let us not make things difficult. Let not people begin to think that hereafter no policeman can act promptly, bravely and courageously, in an emergency like this. That would be creating a dangerous situation. We can very well wait for the results of the enquiry that is being conducted, on the spot. It is an open enquiry. People are entitled to give evidence before the enquiring officers. After the results are known, if any further action is considered necessary even on a suspicion, I would order on behalf of the Government a fuller enquiry. That is for the future. But at present, I submit that any action such as the one proposed would be prejudging the action of the police officials who are undergoing a great amount of risk and who are doing their work bravely, promptly, properly and courageously under difficult conditions."

* Sri P. RAMAMURTHI :—" We are not now concerned with the views of the various parties. There will be difference of opinion between one party and another. We are now concerned with an entirely different matter. The Chief Minister has now come forward to defend the action of the police, saying that they are brave men and that they have done their duty under extremely difficult conditions. The point to be considered now is whether the concerned police officials were within their rights and bounds and whether the situation warranted such drastic action as shooting down people in this manner. We have to find out whether firing was actually necessary. After all, the lives of the people in this country cannot be treated cheaply."

The Hon. Sri C. RAJAGOPALACHARI :—" I suppose the lives of the people in the train also!"

* Sri P. RAMAMURTHI :—" During the last 150 years' rule of the British, we are accustomed to such shooting. They were treating the lives of the people of this country very cheaply. We cannot allow that state of affairs to continue, or to be repeated again. Such incidents must be enquired into by an impartial committee with which non-officials must be associated. It is not correct for the Chief Minister to say that the Government will be abdicating their functions if non-officials were appointed to enquire into these incidents. In the past, even the Congress people had demanded public enquiries by non-officials. When the Jalianwala Bagh incidents took place, the Congress demanded an enquiry by non-officials. They did not want the enquiry to be conducted by the officials. Therefore, the advice of the Chief Minister cannot be accepted. In view of the seriousness of the incidents and in view of the fact that they have taken place only yesterday, they are matters of definite and urgent public importance and so we must discuss this subject."

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* THE HON. SRI C. RAJAGOPALACHARI :—" Sir, may I submit a few words? Let us not get excited and there is no use referring to past incidents here and there. Hon. Members opposite are perfectly ready to take over all the principles of the Congress when it is convenient to them and to disregard them when it is not convenient to them. (Ministerialist cheers.) The incident has occurred and it requires careful consideration as to what steps we should take in respect of an enquiry. The Government have, to the best of their ability and impartiality, considered what are the things that are required to be done at once and decided that evidence should be taken immediately as to what happened before false evidence comes in, before rumours spread about and people begin to think of giving evidence truly or falsely according to their own bias or imagination. Now immediate evidence should be recorded. The considerations mentioned by the hon. Member opposite were not out of my mind and that is why I associated with the District Magistrate the neighbouring judicial officer who has nothing to do with the administration of law and order. The Principal Subordinate Judge has nothing to do with maintenance of law and order. The judicial officers in both places have nothing to do with administration of law and order. These two officers will sit and the enquiry will be open. Let us get the report and when we read the report, both the hon. Members opposite and the Government will be able to see what ought to be done further in the light of the facts of the case as disclosed in the report. But if beforehand, when violence takes place and the men on the spot have under orders of Magistrates taken certain steps according to law, we doubt the correctness of their action and appoint a committee with non-officials, so to say, I suppose it will be prejudging the action of the people concerned who have done their best to meet a situation. There may be wrongs on either side and we are concerned with the honour and safety of people and justice. I am concerned both about the safety of the people and justice to the officials concerned. Let the Principal Subordinate Judge of the place who has nothing to do with the Executive Government and the District Magistrate sit together and let us have a fair account of the matter. Then, I submit, it will be open to hon. Members to say whether the Government should take any further action. It will be open to hon. Members to discuss the matter thoroughly as soon as the reports are received. I have no objection to go into the whole position and to the House reconsidering the whole matter. But to-day, I do not think we should have any discussion about the facts of the case. I give this assurance. If, on a perusal of the report, there is a reasonable demand for further steps to be taken by the Government, I shall be quite willing to take such steps, because even the officials do not want to get away with a closed-room judgment. We have ordered an open enquiry. Let hon. Members remember that those who are sitting on this side of the House one day may go to the other side and those who sit over there to-day may come to this side one day. But the Executive administration must be protected. They must not only be given ordinary protection but must be encouraged to act justly,

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promptly and courageously. It is no use always taking up the side of mob violence; it is no use taking sides with those who disturb order and who want to stop the train whatever may happen. I can understand their psychology. I have dealt with public movements and crowds. Hon. Members opposite can understand it if I explain it. Once a dangerous step is taken or a near-violent step is taken, we are bound to be dragged on to other steps and the men who are there are not Legislative Assembly Members. They want to achieve their object once they begin. As soon as an order is issued by their party newspapers that they must stop trains, they think naturally it is their duty not only to try to stop the trains but actually succeed and stop them. That is their psychology.

"Sir, let everything be enquired into and then we will consider the position. But to-day it is not proper, I am sorry to say, to condemn officers or the policemen concerned."

MR. SPEAKER :—"Is the Leader of the Opposition withdrawing the Motion in view of the Chief Minister's statement?"

SRI P. RAMAMURTHI :—"I am pressing the Motion."

MR. SPEAKER :—"There is some difficulty here. Yesterday, I admitted a motion and we have not discussed that. Suppose I take up this motion. Shall we still discuss the other? Or I shall make a suggestion. These two motions can be discussed together. If need be, I shall extend the time-limit to three hours. Normally I allow two hours but to-day we shall have three hours to discuss this. But this should not be taken as a precedent for the future."

THE HON. SRI C. RAJAGOPALACHARI :—"Sir, am I to understand that this motion will be considered along with the other together? From the point of view of mere accommodation of time and all that, it may be a good proposal. But surely the issues involved in the other motion are different."

MR. SPEAKER :—"There will be a single motion before the House. That is what I am suggesting to the House."

* THE HON. SRI C. RAJAGOPALACHARI :—"The issue involved in this motion is whether the firing was just or not. The matter involved in the other is one for free general discussion as to the educational programme of the Government and so on. To mix the two, I think, is not correct. We will not get a proper result in respect of either of them. So, I am sorry that it cannot be really a just arrangement although it may be a convenient arrangement."

SRI T. VISWANATHAM :—"May I know, Sir, whether you are allowing a debate by ruling the adjournment motion to be in order or you are doing so as a matter of concession? I say this because when shooting took place in December last in Andhra areas, I remember, some motion came up here and it was not discussed. Anyway, I must congratulate the Government that their attitude now is much better than it was then. Now they have come forward

with a judicial enquiry. All that I want to know is whether the adjournment motion is in order or whether this is merely a general debate."

* THE HON. SRI C. RAJAGOPALACHARI :—" As I understood the suggestion, Sir, I think that we will be discussing both the motions and I have expressed my opinion from my own point of view. It is no matter of accommodation here. This motion will prejudice the enquiry. The other motion does not matter. We can discuss the general question of educational policy. But now an enquiry has been ordered and it has to be held. If we have a discussion, all kinds of statements will have to be made and will be made. It will not at all be good. We are going to get a report in the course of a few days and then the position may be considered. I hope hon. Members opposite will not press the motion in view of what I have said. The Speaker, I claim, must not allow this motion. There are two issues here. So far as the educational scheme goes, it is to be discussed and I am not going to reopen the decision connected with that motion. On this motion let us await the report. The two questions must be separately understood and separately judged. Not only this. The two incidents also must be separated from each other, the Tiruchirappalli incident and the Tuticorin incident."

MR. SPEAKER :—" This motion is connected with the other."

* THE HON. SRI C. RAJAGOPALACHARI :—" They are connected with each other and in that way all human affairs are connected with one another. But the issues involved are slightly different. I strongly feel that any debate now, when an enquiry has been ordered, will not help but hinder the case. It may not be a court but the Government have taken the trouble of making it as judicial an enquiry as possible and the enquiry itself being made as soon and as effectively as possible. We should not prejudice evidence on either side. Let us look into all facts, and then it will be open to hon. Members to discuss the matter. But to-day, I submit, it is wrong to allow the adjournment motion."

* SRI P. RAMAMURTHI :—" Sir, I certainly feel that these questions should be separate. Two independent questions should not be mixed up. I agree. But this is not an ordinary case. . ."

MR. SPEAKER :—" My difficulty is this. There will be repetition of arguments and in two hours it is not possible to finish discussion on this motion. Yesterday, I allowed ten minutes for each Member but the time-limit was exceeded."

* SRI P. RAMAMURTHI :—" On the question of shooting, there will not be repetition of arguments used in another connexion, namely, discussion of the educational policy of the Government, except where somebody might say that this shooting was the result of that policy."

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MR. SPEAKER :—" I want to know how many Members are for the motion being taken up.

(Many hon. Members stood up in their places.)

I allow the motion. I shall fix a date in consultation with the Leader of the House and the Leaders of Parties.

11 a.m. " We shall now take up the next item on the Agenda."

SRI P. RANGASWAMI REDDIAR :—" Sir, what about the other adjournment motion of which I have given notice ? "

MR. SPEAKER :—" The ruling already given by me holds good for that motion also."

SRI P. RANGASWAMI REDDIAR :—" It is a different matter, Sir, about the arrest of about 94 persons in some other place."

SRI A. GOVINDASWAMI NAYAGAR :—" I have given notice of another adjournment motion, Sir. It is about the arrest of Sri Veeraswamy."

MR. SPEAKER :—" I will look into all of them. We will now take up the next item. Mr. Thimma Reddi will now speak."

SRI VAVILALA GOPALAKRISHNAIAH :—" On a point of order, Sir."

MR. SPEAKER :—" Let the hon. Member come to my Chamber, I will hear him." (Laughter.)

III.—GOVERNMENT BILL.

THE ANDHRA STATE BILL, 1953—*cont.*

SRI P. THIMMA REDDI :—" Mr. Speaker, Sir, ever since the declaration came from Delhi that the Andhras will have their State, I felt it will be better for me to talk less. That is the reason why though there was need for me to speak, though I found there was much on which I could have spoken, I refrained from speaking during the Budget debate. And now when the Bill is before us I thought there were our friends who could offer their valuable suggestions on the Bill and I felt I could stop with offering my thanks and appreciation to the Government here and at Delhi. But now I am forced to speak on this Bill for three reasons. The first is an incidental remark made by the Hon. the Chief Minister yesterday that the report of Mr. Misra is an award. The second is the fast undertaken by Sri Tetali Kami Reddi in Bellary, a man of great reputation and a big Gandhite and who is on the last days of his life. He will be as great a man to the people of Bellary as Sri Potti Sriramulu is to Andhra. The third is the remarks made by my hon. Friend Sri Vinayakam.

" Sir, I take this occasion to say a few words about the Bill before the House. Rajaji is a very great administrator. He is one of the few great leaders of this country. We all feel that he alone could steer the Government. He has done many things to